

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
)
v.)
)
KOWOSKY TYWAN CHRISTIAN, et al.)

Case No.: 2:06-cr-169-WKW

**DEFENDANT CHRISTIAN'S MOTION TO EXCUSE
ATTORNEY FROM ATTENDING PRETRIAL CONFERENCE**

COMES NOW the defendant, Kowosky Tywan Christian, through undersigned counsel, Joseph P. Van Heest, and moves this for an Order granting his attorney permission to be excused from attending the Pretrial Conference set for Friday, September 28, 2007, at 8:30 am. In support of this motion, defendant states the following:

1. Defense counsel is scheduled to be in Washington, DC between September 26 - 30, 2007. He has non-refundable airline tickets and will be attending a seminar on Thursday and Friday, September 27 - 28, 2007.
2. There are no pressing issues in this case which can not be addressed on Mr. Christian's behalf by one of the co-defendant's attorneys.
3. Mr. Christian's counsel has spoken with Hon. Richard K. Keith, attorney for co-defendant James Calvin Talley. Mr. Keith has agreed to stand in for Mr. Christian's counsel at the pretrial conference.
4. If necessary and if the Court prefers, Mr. Christian's counsel can be available to attend the pretrial conference by telephone at the designated time.
5. Mr. Christian's counsel has spoken with counsel for the government and the government does not oppose this motion.

WHEREFORE, premises considered, Defendant Christian prays that this Honorable Court will grant this motion and permit his counsel to be excused from attending the pretrial conference set for September 28, 2007.

Dated this 24th day of September, 2007.

Respectfully submitted,

s/Joseph P. Van Heest

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CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: A. Clark Morris, Esq., Assistant U. S. Attorney, PO Box 197, Montgomery, Alabama 36101-0197.

Respectfully submitted,

s/Joseph P. Van Heest

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